

**REMARKS**

The Examiner is thanked for the thorough examination of the present application. The Office Action mailed March 13, 2008 rejected claims 6-23. This is a full and timely response to that outstanding Office Action. Upon entry of the amendments in this response, claims 6-23 are pending. More specifically, claim 6 is amended. No new matter is added to the present application by these amendments. These amendments are specifically described hereinafter.

**I. Present Status of Patent Application**

Claims 6-15, 18, 20, and 23 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Greer, et al.* (U.S. Publication No. 2001/0011226) in view of *Ehring, et al.* (U.S. Publication No. 2005/0097008). Claims 17 and 19 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Greer, et al.* (U.S. Publication No. 2001/0011226) in view of *Ehring, et al.* (U.S. Publication No. 2005/0097008) and further in view of *Binder* (U.S. Patent No. 6,513,052). Claims 16, 21, and 22 are rejected under 35 U.S.C. 103(a) as allegedly being unpatentable over *Greer, et al.* (U.S. Publication No. 2001/0011226) in view of *Ehring, et al.* (U.S. Publication No. 2005/0097008) and further in view of *Istvan* (U.S. Publication No. 2002/0042747). These rejections are respectfully traversed.

## II. Rejections Under 35 U.S.C. §103(a)

### Claims 6-23

The Office Action rejects claims 6-15, 18, 20, and 23 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Greer, et al.* (U.S. Publication No. 2001/0011226) in view of *Ehring, et al.* (U.S. Publication No. 2005/0097008). The Office Action rejects claims 17 and 19 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Greer, et al.* (U.S. Publication No. 2001/0011226) in view of *Ehring, et al.* (U.S. Publication No. 2005/0097008) and further in view of *Binder* (U.S. Patent No. 6,513,052). The Office Action rejects claims 16, 21 and 22 under 35 U.S.C. §103(a) as allegedly being unpatentable over *Greer, et al.* (U.S. Publication No. 2001/0011226) in view of *Ehring, et al.* (U.S. Publication No. 2005/0097008) and further in view of *Istvan* (U.S. Publication No. 2002/0042747).

**Independent claim 6**, as amended, recites:

6. A system for displaying information on a user computer, comprising:
  - a client-server environment;
  - a rules-based agent resident on said user computer in said client-server environment and having a plurality of rules clauses for evaluating data, wherein the rules clauses comprise one or more required rules clauses and one or more optional rules clauses;***
  - at least one targeted advertising trigger having functionality to notify the rules-based agent to begin evaluating said data;
  - a plurality of data providers to provide said data for evaluation; and
  - at least one action for providing information based upon the evaluated data, wherein an action is performed provided all the required rules clauses and at least one of the optional rule clauses are satisfied, and wherein at least one of the said at least one action comprises displaying a prompt associated with said target advertising triggers, and wherein said prompt leads to a sale.

(Emphasis added).

Applicant respectfully submits that claim 6 is patentably distinct from the cited art for at least the reason that the cited art does not disclose the features emphasized above. For a proper rejection of a claim under 35 U.S.C. §103, the cited combination of references must disclose, teach, or suggest all elements/features of the claim at issue. *See, e.g., In re Dow Chemical*, 5 U.S.P.Q.2d 1529, 1531 (Fed. Cir. 1988) and *In re Keller*, 208 U.S.P.Q.2d 871, 881 (C.C.P.A. 1981).

Applicant respectfully submits that independent claim 6 is allowable for at least the reason that the combination of *Greer* and *Ehring* do/does not disclose, teach, or suggest at least **a rules-based agent resident on said user computer in said client-server environment and having a plurality of rules clauses for evaluating data, wherein the rules clauses comprise one or more required rules clauses and one or more optional rules clauses**. Even if, assuming for the sake of argument, *Greer* discloses an advertising targeting application run on a system external to a user device (See *Greer*, Fig. 1), *Greer* fails to disclose a rules-based agent **resident on said user computer** in said client-server environment and having a plurality of rules clauses for evaluating data, wherein the rules clauses comprise one or more required rules clauses and one or more optional rules clauses. As the cited combination of references does not disclose, teach, or suggest, either implicitly or explicitly, all the elements of claim 6, the rejection should be withdrawn for at least that reason.

For at least the reason that independent claim 6 is allowable over the cited references of record, dependent claims 7-23 (which depend from independent claim 6)

are allowable as a matter of law for at least the reason that dependent claims 7-23 contain all the features of independent claim 7-23. See *Minnesota Mining and Manufacturing Co. v. Chemque, Inc.*, 303 F.3d 1294, 1299 (Fed. Cir. 2002); *Jeneric/Pentron, Inc. v. Dillon Co.*, 205 F.3d 1377, 54 U.S.P.Q.2d 1086 (Fed. Cir. 2000); *Wahpeton Canvas Co. v. Frontier Inc.*, 870 F.2d 1546, 10 U.S.P.Q.2d 1201 (Fed. Cir. 1989). Therefore, the rejection of claims 7-23 should be withdrawn and the claims allowed.

Additionally, with regard to the rejection of claims 17 and 19, *Binder* does not make up for the deficiencies of *Greer* and *Ehring* noted above. Further, with regard to claim 16, 20, and 22, *Istvan* does not make up for the deficiencies of *Greer* and *Ehring* noted above. Therefore, claims 16, 17, 19, 20, and 22 are considered patentable over any combination of these documents for at least the reason that claims 16, 17, 19, 20, and 22 incorporate allowable features of claim 6 as set forth above.

### **III. Miscellaneous Issues**

Any other statements in the Office Action that are not explicitly addressed herein are not intended to be admitted. In addition, any and all findings of inherency are traversed as not having been shown to be necessarily present. Furthermore, any and all findings of well-known art and official notice, or statements interpreted similarly, should not be considered well known for the particular and specific reasons that the claimed combinations are too complex to support such conclusions and because the Office Action does not include specific findings predicated on sound technical and scientific reasoning to support such conclusions.

**CONCLUSION**

In light of the foregoing amendments and for at least the reasons set forth above, Applicant respectfully submits that all objections and/or rejections have been traversed, rendered moot, and/or accommodated, and that the now pending claims 6-23 are in condition for allowance. Favorable reconsideration and allowance of the present application and all pending claims are hereby courteously requested. If, in the opinion of the Examiner, a telephonic conference would expedite the examination of this matter, the Examiner is invited to call the undersigned attorney at (770) 933-9500.

It is believed that no extensions of time or fees for net addition of claims are required, beyond those which may otherwise be provided for in documents accompanying this paper. However, in the event that additional extensions of time are necessary to allow consideration of this paper, such extensions are hereby petitioned under 37 C.F.R. § 1.136(a), and any fees required therefor (including fees for net addition of claims) are hereby authorized to be charged to deposit account No. 08-2025.

Respectfully submitted,

/BAB/

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